



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331

<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

March 10, 2015

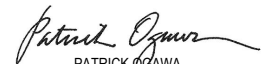
The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

17 March 10, 2015


PATRICK OGAWA
ACTING EXECUTIVE OFFICER

**OXFORD RETENTION BASIN MULTIUSE ENHANCEMENT PROJECT
UNINCORPORATED COMMUNITY OF MARINA DEL REY
ADOPT, ADVERTISE, AND AWARD CONSTRUCTION CONTRACT
ADOPT RESOLUTION
SPECS. 7253
(SUPERVISORIAL DISTRICT 4)
(3 VOTES)**

SUBJECT

The recommended actions will adopt plans and specifications; advertise the Oxford Retention Basin Multiuse Enhancement project for construction bids; delegate the authority to award a construction contract for the Oxford Retention Basin Multiuse Enhancement project; and adopt the enclosed Resolution authorizing a grant funding agreement with the California Department of Water Resources.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the recommended actions are within the scope of the Mitigated Negative Declaration for the Oxford Retention Multiuse Enhancement project previously adopted for the project.
2. Adopt the plans and specifications that are on file with the Department of Public Works' Architectural Engineering Division for construction of the Oxford Retention Basin Multiuse Enhancement project at an estimated construction contract cost of \$8,300,000.
3. Instruct the Interim Executive Officer of the Board of Supervisors to advertise for bids to be

BIDS: March 31, 2015 at 10:45 a.m.

received and opened on March 31, 2015, in accordance with the Instruction Sheet for Publishing Legal Advertisements.

4. Delegate to the Director of Public Works or her designee the authority to: (1) reject all nonresponsive bids; (2) and determine, in accordance with the applicable contract and bid documents whether the bid of the apparent responsible contractor with the lowest apparent responsive bid is, in fact, responsive and, if not responsive, to determine which apparent responsible contractor submitted the lowest responsive bid; (3) determine whether the apparent lowest responsive and responsible bidder satisfies all conditions for contract award, including the criteria adopted by the Board for contract award; and (4) upon determination that all such conditions have been satisfied, authorize the Director of Public Works or her designee to award and execute the construction contract, in the form previously approved by County Counsel, to the contractor determined to have the lowest responsive and responsible bidder, and to establish the effective date of the contract upon receipt of acceptable performance and payment bonds and evidence of required contractor insurance, and to take all actions necessary and appropriate to fully deliver the Oxford Retention Basin Multiuse Enhancement project.

5. Authorize the Director of Public Works or her designee to award and execute a contract for this project if the bid of the apparent responsible contractor with the lowest responsive and responsible contractor if the bid exceeds the estimated cost by no more than 15 percent, if additional and appropriate funds have been identified.

6. Adopt the enclosed Resolution authorizing the Director of Public Works or her designee to sign a grant funding agreement with the California Department of Water Resources under the Santa Monica Bay Proposition 84 Grant Program in the amount of \$2,000,000 for the Oxford Retention Basin Multiuse Enhancement project and to sign any amendments to the agreement as may be necessary to complete the project. On December 3, 2013, the Board previously authorized the Director of Public Works or her designee to accept this grant funding.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will find the project within the scope of the previously adopted Mitigated Negative Declaration for the project, adopt the plans and specifications for the project, provide for the project to be advertised for construction bids, delegate the award of a construction contract, and adopt the enclosed Resolution authorizing a grant funding agreement with the California Department of Water Resources for the Oxford Retention Basin Multiuse Enhancement project.

An adopt, advertise, and award Board letter is being recommended to the Board to ensure the timely completion of the proposed project. The purpose of the project is to improve the Oxford Retention Basin, located in the unincorporated County of Los Angeles area of Marina Del Rey. The project is a multiuse enhancement project, which has five goals and benefits: flood control, water quality, habitat, aesthetics, and recreation.

The project will improve flood risk management by allowing for the removal of accumulated sediment at the bottom of the basin to restore the basin to its original capacity. Due to their deterioration, the two existing tide gates connecting Oxford Basin to Marina Del Rey will be replaced. A new access ramp from Admiralty Way will be constructed to provide access to the tide gate control house for maintenance workers. Existing catch basins along Oxford Avenue will be modified to reduce the risk

of flooding in the residential areas, and a parapet wall along the northern and western boundaries will also be constructed to prevent flooding to the adjacent streets. Water quality will be enhanced through the construction of bioswales along Admiralty Way and adjacent to the bicycle path. Additionally, a circulation berm will be installed to improve water quality, increase circulation, and maximize wildlife habitat area. Habitat will be further enhanced through the removal of nonnative vegetation and replacement with more native vegetation. Contaminated soil along the embankments of the basin will also be removed and disposed of in order for native plants to grow and to allow for regrading. In addition, the project will allow for several aesthetic and recreational features including replacement of the existing chainlink fence with a four-foot high tubular fence, a decomposed granite walking path around the basin, wildlife-friendly lighting, trash receptacles, and educational signage. A vegetated parkway, which will provide additional bio-filtration, will be installed adjacent to the walking path along Admiralty Way to buffer pedestrians from the street traffic. Additionally, four observation areas will be constructed along Admiralty Way and two observation areas along Washington Boulevard with park bench seating overlooking the basin.

On December 3, 2013, the Board adopted the MND and the Mitigation Monitoring and Reporting Program, approved the proposed Oxford Retention Basin Multiuse Enhancement Project, and authorized the acceptance of Proposition 84 Grant funds for the project.

Between December 2013 and November 2014, jurisdictional approvals were obtained from the United States Army Corps of Engineers, California Regional Water Control Board, California Department of Fish and Wildlife, and California Coastal Commission. After review, the California Coastal Commission approved the project and issued a Coastal Development Permit in November 2014.

As discussed in the Board approved MND, habitat quality will be improved by replacing nonnative vegetation with more native vegetation. In preparation for the construction of this project, approximately 650 nonnative or diseased trees and shrubs were removed from the basin using a previously Board approved Job Order Contract in December 2014 through mid-February 2015. The tree removal started in December 2014 to minimize impacts on bird nesting. As part of the conditions of the MND and the Coastal Development Permit, construction mitigation measures are required in the basin during the bird nesting and breeding season between January 1 and September 30, and the rainy season between October 15 and April 15. In addition, to meet jurisdictional requirements and requests, a further on-site biological survey was performed immediately before the vegetation clearing work commenced, and a full time biological monitor was present for all work activities after the first day of work on site in January 2015.

To meet jurisdictional requirements, biological monitoring and reporting are required to ensure minimum disturbance to the biological habitat during construction. Public Works selected a Board-approved as-needed consultant, CDM Smith, to conduct these biological monitoring services during tree removal and proposed construction activities.

An adopt, advertise, and award Board letter is being recommended to the Board to expedite the commencement of construction. This expedited process is necessary in order to: (1) to ensure the timely completion of construction activities inside the flood control basin prior to work restrictions required during the rainy season between October 15 and April 15; and (2) to meet the December 31, 2015, completion deadline for this project mandated by the California Regional Water Control Board in its July 10, 2014 Time Schedule Order (TSO) concerning the Marina del Rey Dry-Weather Bacteria Total Maximum Daily Load (TMDL).

In order to expedite construction of the project, it is recommended that the Board authorize the

Director of Public Works or her designee to award and execute a construction contract to the apparent lowest responsive and responsible bidder (as defined in the Facts and Provisions/Legal Requirements section of this letter), if the low bid exceeds the estimate of construction costs of \$8,300,000 by no more than 15 percent, and if additional and appropriate funds have been identified.

Implementation of Strategic Plan Goals

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness/Fiscal Sustainability (Goal 1) and Integrated Services Delivery (Goal 3). The recommended actions will facilitate the construction of improvements at the Oxford Retention Basin to maintain the effectiveness of the existing flood control system, enhance flood protection and water quality, and enrich the lives of the County of Los Angeles residents by improving the wildlife habitat and recreational opportunities at Oxford Retention Basin.

FISCAL IMPACT/FINANCING

The estimated construction contract cost to complete this project is \$8,300,000. The total project cost is estimated to be \$13,000,000. In addition to the construction cost, the total project cost includes plans, specifications, permits, consultant services, survey, material testing, inspection, contract administration, change order contingency, and other County services.

The Fourth Supervisorial District Discretionary Fund will provide \$1,000,000; the Santa Monica Bay Proposition 84 Grant will provide \$2,000,000; and the Integrated Regional Water Management Plan, Proposition 84 Grant will provide up to \$1,500,000 for the project. The remaining cost of the project will be funded by the Flood Control District Fund.

Funding for this project is included in the Flood Control District Fund Fiscal Year 2014-15 Budget. Funding for additional project costs will be requested through the annual budget process. The Flood Control District Fund will be reimbursed with \$1,000,000 from the Fourth Supervisorial District Discretionary Fund, which is included in the Public Works General Fund Fiscal Year 2014-15 Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The contract contains terms and conditions supporting the Board's ordinances and policies, including, but not limited to: County Code Chapter 2.200, Child Support Compliance Program; County Code Chapter 2.202, Contractor Responsibility and Debarment; County Code Chapter 2.203, Contractor Employee Jury Service Program; County Code Chapter 2.206, Defaulted Property Tax Reduction Program; Board Policy 5.050, County's Greater Avenues for Independence and General Relief Opportunities (GAIN/GROW); Board Policy 5.060, Reporting of Improper Solicitations; Board Policy 5.110, Contract Language to Assist in Placement of Displaced County Workers; and Board Policy 5.135, Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law).

To enhance outreach efforts, Public Works will provide bidders with Community Business Enterprise

(CBE) and Local Small Business Enterprise (SBE) program requirements at the pre-bid conference on March 17, 2015.

Applicable law, including the State Public Contract Code, requires the County to award a construction contract to the apparent lowest responsive and responsible bidder, which refers to the firm that: (1) submits the lowest bid price; (2) is deemed by the County to be "responsive" to specific criteria under the solicitation, including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to have demonstrated the quality, fitness, capacity, experience, and trustworthiness to satisfactorily perform the work required under the bid solicitation.

To ensure that the contract is awarded to the apparent lowest responsive and responsible bidder with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the contractors State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy 5.140, the information reported by the bidder will be considered before contract award.

Delegating to the Director of Public Works or her designee the authority to award and execute this construction contract will allow for an accelerated process for project delivery that will help ensure State mandated timeline is met.

Pursuant to the Board's Civic Art Policy, the proposed project is exempt from the Civic Art fee because the work consists of improvements to infrastructure.

ENVIRONMENTAL DOCUMENTATION

On December 3, 2013, the Board adopted the MND for the project and approved a MMRP at the time of project approval. The MND found that the project will not have a significant effect on the environment in accordance with the provisions of California Environmental Quality Act and a Notice of Determination was filed with the Registrar Recorder/County Clerk. The recommended actions are within the scope of the project in the previously adopted MND and there have been no changes to the project as approved or substantial changes to the circumstances under which the project is undertaken or new information, which identifies a new significant effect or the need for additional mitigation or alternatives.

Public Works filed a Notice of Determination on December 3, 2013, with the County Clerk/Registrar Recorder in accordance with Section 21152(a) of the California Public Resources Code.

CONTRACTING PROCESS

A standard contract, in the form previously approved by County Counsel, will be used. The standard Board-directed clauses that provide for contract termination, renegotiation, and hiring qualified displaced County employees will be included in the contract.

As required by the Board, language has been incorporated into the project specifications stating that the contractor shall notify its employee, and shall require each subcontractor to notify its employees

that they may be eligible for the Federal Earned Income Credit under the Federal Income Tax Law (Federal Income Tax Law, Internal Revenue Service Notice 1015).

Advertising for bids will be in accordance with the County's standard Instruction Sheet for Publishing Legal Advertisements (Enclosure A).

As required by the Board on February 3, 1998, this contract opportunity will be listed on the "Doing Business with Us" website. Following receipt of bids and determination of the apparent lowest responsive and responsible bidder, we will award a construction contract in accordance with the authority delegated in this Board letter. Additionally, the contract will require the contractor to pay its employees applicable prevailing wages in accordance with the California Labor Code.

Participation by CBE in the project is encouraged through Public Works' Capital Projects' CBE Outreach Program and by monitoring the good faith efforts of bidders to utilize CBEs.

A copy of the plans and specifications are on file in the Architectural Engineering Division of Public Works.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

During implementation of the proposed improvements, the portion of the bikeway lane that extends along the south side of Washington Boulevard will be closed for demolition and truck hauling during construction working hours only.

The City of Los Angeles has approved a construction traffic control plan on their City streets. Road closure and detour signs will be posted along Washington Boulevard in advance of the closure.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Project Management Division II.

The Honorable Board of Supervisors

3/10/2015

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Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:JFKRS:cm

Enclosures

c: Auditor-Controller
Beaches and Harbor
Chief Executive Office
County Counsel

March 10, 2015

ENCLOSURE A

**OXFORD RETENTION BASIN MULTIUSE ENHANCEMENT PROJECT
UNINCORPORATED LOS ANGELES COUNTY
ADOPT, ADVERTISE, AND AWARD CONSTRUCTION CONTRACT
SPECS. 7253
(FOURTH DISTRICT) (3 VOTES)**

PUBLISHING LEGAL ADVERTISEMENTS: In accordance with the State of California Public Contract Code Section 20125, you may publish once a week for two weeks in a weekly newspaper or ten times in a daily newspaper. Forward three reprints of this advertisement to Architectural Engineering Division, Department of Public Works, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803-1331.

**OFFICIAL NOTICE
INVITING BIDS**

Notice is hereby given that the Director of Public Works will receive sealed bids for furnishings, materials, labor, and equipment required to complete construction for the following work:

<u>SD</u>	<u>SPECS</u>	<u>PROJECT</u>	<u>BID DOC. FEE</u>	<u>DATE OF BID OPENING</u>
4	7253	Oxford Retention Basin Multiuse Enhancement Project 4360 Admiralty Way Marina del Rey, CA 90292	\$50	3/31/15

Copies of the project manual and drawings may be downloaded for free from the Los Angeles County Public Works website <http://dpw.lacounty.gov/go/constructioncontracts>; or for \$50 copies of the project manual and drawings may be obtained at the Cashier's office, Department of Public Works, 900 South Fremont Avenue, Mezzanine Floor, Alhambra, California 91803. For bid information, please call (626) 458-2563. Each bid shall be submitted on the required form, sealed, and filed at the Cashier's office no later than 10:45 a.m. on March 31, 2015. Bids will be publicly opened, examined, and declared by Public Works at 11:00 a.m. on this date in Department of Public Works' Architectural Engineering Division's Conference Room, 900 South Fremont Avenue, Alhambra, California 91803.

Bids must conform to the drawings and project manual and all bidding requirements. This project requires the prime contractor to possess an active A license classification at the time of bid submittal. The contractor should verify to his/her satisfaction that he/she holds the correct license for this type of project.

The contractor and all of its subcontractors of any tier shall be required to pay prevailing wages to all workers employed in the execution of the work of improvement in accordance with Labor Code Section 1770 et seq. Copies of prevailing rate of per diem wages are on file at the Department of Public Works, Architectural Engineering Division, which shall be made available to any interested party upon request.

PRE-BID CONFERENCE

The Public Works' Project Management Team will hold a pre-bid conference on March 17, 2015, at 10:00 a.m. at the Marina del Rey Parking Lot No. 8 at 4220 Admiralty Way to provide information on the project, bidding process, CBE and Local SBE program requirements, and answer any questions that the potential bidders may have. For further directions, please contact Ms. Loydi Nguyen with Public Works' Architectural Engineering Division at (626) 458-2180.

OTHER INSTRUCTIONS

The County supports and encourages equal opportunity contracting. The contractor shall make good faith efforts, as defined in Section 2000 of the Public Contract Code, to contract with Community Business Enterprises.

The Board of Supervisors reserves the right to reject any or all bids or to waive technical or inconsequential errors and discrepancies in bids submitted in the public's interest.

Si necesita información en español, por favor llame al Telefono (626) 458-2563.



Upon 72 hours notice, Public Works can provide program information and publications in alternate formats or make other accommodations for people with disabilities. In addition, program documents are available at our main office in Alhambra (900 South Fremont Avenue), which is accessible to individuals with disabilities. To request accommodations ONLY, or for more ADA information, please contact our departmental ADA Coordinator at (626) 458-4081 or TDD (626) 282-7829, Monday through Thursday, from 7 a.m. to 5:30 p.m.



Con 72 horas de noticia, el Departamento puede proveerle información y publicaciones sobre el programa y formatos alternativos o hacer adaptaciones para incapacitados. Además, documentación sobre el programa está disponible en nuestra oficina principal en Alhambra (900 South Fremont Avenue), la cual es accesible para individuos con incapacidades. Para solicitar adaptaciones SOLAMENTE, o para mas información del ADA, pongase en contacto con nuestro Coordinador del ADA del Departamento al (626) 458-4081 o TDD (626) 282-7829, de lunes a jueves de las 7 a.m. a 5:30 p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California dated March 10, 2015.

Specs. 7253

PATRICK OGAWA, ACTING EXECUTIVE OFFICER
OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE
LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS
TO ENTER INTO A GRANT FUNDING AGREEMENT WITH THE STATE OF
CALIFORNIA FOR THE OXFORD RETENTION BASIN MULTI-USE ENHANCEMENT
PROJECT**

WHEREAS, the Board of Supervisors of the County of Los Angeles, acts as the governing body of the Los Angeles County Department of Public Works (Public Works); and

WHEREAS, Public Works' Oxford Retention Basin Multi-Use Enhancement Project (project) has been selected for an award of \$2 million in funding from the Proposition 84 Santa Monica Bay Grant Program, which will allow it to construct the project; and

WHEREAS, the State of California Water Resources Control Board has been delegated the responsibility for the administration of the grant program authorized under Proposition 84 and for establishing procedures for implementing the program; and

WHEREAS, this Resolution authorizes Public Works to enter into an agreement with the State of California and designates a representative to sign the agreement, and any amendments thereto, for the project.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Los Angeles hereby authorizes Public Works to enter into a grant funding agreement with the State of California Water Resources Control Board under the Santa Monica Bay Proposition 84 Grant Program and hereby authorizes the Director of Public Works or her designee to sign the agreement and any amendments to the agreement as necessary to complete the project, including extensions of time, minor changes in project scope, and alterations in the grant amount up to ten percent.

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The foregoing resolution was adopted on the 10th day of March, 2015, by the Board of Supervisors of the County of Los Angeles.

PATRICK OGAWA
Acting Executive Officer
Board of Supervisors

By Carla Little
Deputy



APPROVED AS TO FORM:

MARK J. SALADINO
County Counsel

By [Signature]
Deputy